

EXHIBIT 3

May 28, 2005

Clerk of the United States Bankruptcy Court
for the District of Delaware
824 Market Street
Wilmington Delaware 19801

Re: L.R. Grace/CO., et al.,
Case # 01-01139 (JFK)

FILED
2005 JUN 10 PM 1:54
CLERK
US BANKRUPTCY COURT
DISTRICT OF DELAWARE

Honorable Clerk

At this time writing I am informing the court of my inability to access the law library to be able to make copies of documents to use resource books, directories, type writers to complete certain requirements in respond to civil as well as criminal matters that I face.

The reason is the restrictive policies that the C.D.C. has implemented last October, 2004 to keep the Prisoner-Patients (I am a Patient of the D.M.H at the E.O.P.) from utilizing the facilities of law library, the reasons are above, thank you.

Sincerely

Rafael J. Palazzo

Dated May 28, 2005

In The United States Bankruptcy Court
For the District of Delaware

In re:

Chapter 11

W.R. Grace & Co., et al.,

Case No. 01-139 (JFK)

Debtor (Jointly Administered)

Objection to the Debtors' Eleventh
Omnibus Objection to Claims
(Non-Asbestos Gateway)

Palazzo, Raphael J.
% Donovan Correctional Fac
Fac 15-225-4
PO Box 799001
San Diego CA 92179-9001

FILED
2005 JUN 10 PM 1:55
CLERK
US BANKRUPTCY COURT
DISTRICT OF DELAWARE

Basis for the amount of the claim is on
going, past, present, future monitoring
for Mesothelioma

Claim Number: 2661

The claimant Raphael J. Palazzo has been
exposed to Asbestos in the form of W.R.
Grace & Co. products while working in various
construction applications such as.

Shipyard, Removal and reinstallation asbestos based attic insulation from 1972 to 1992. This prolonged exposure to asbestos and related products by W.R. Grace and Co and its 61 entities makes the claimants health and safety and effort risk and this it makes cause for future monitoring at the claimants expense.

Dated May 29, 2005

Rebecca M. Pappas



Cody

Technical Services Provided by:

R. J. DONOVAN CORRECTIONAL FACILITY
480 Alta Road
San Diego, CA 92179

KRM 5/18/05

PATIENT NAME: PALAZZO, RALPH
DOB: 1-28-50
ID#: T-99035
REFERRED BY: HUNF
EXAM DATE: 5-13-05

71020 PA AND LATERAL CHEST

HISTORY: Asbestos exposure in shipyard. Need mesothelioma check.

COMPARISON: 7-21-05.

FINDINGS: Heart size is normal. No evidence of acute heart failure or pleural effusions. Mild degenerative spurs involves the lower thoracic spine anteriorly. No calcified pleural plaques are identified.

The lungs remain clear.

IMPRESSION: No evidence of acute cardiopulmonary disease.

William Snyder, M.D./jh
D&T: 5-16-2005

[Signature]

DATE: November 24, 2003

NAME: PALAZZO, RALPH JAMES

**CDC
NUMBER:** T-99035

**APPEAL
NUMBER:** 03-1113

SECOND LEVEL REVIEW

APPEAL DECISION: PARTIALLY GRANTED

APPEAL ISSUE: You state that you are in need of special medical care for a condition that may develop into lung cancer due to years of working with asbestos in the shipyard. You also express concern regarding your Enhanced Outpatient Program (EOP) status. Specifically, you are requesting a transfer to the California Men's Colony (CMC) to ensure medical care.

APPEAL RESPONSE: In reaching a decision on this issue, a thorough review of your appeal has been conducted. The attached supporting documents, applicable sections of the California Code of Regulations (CCR) Title 15, and your Central File have been reviewed. In addition, on November 19, 2003, you were interviewed by R. Velo, Correctional Counselor II (CCL), and he discussed with you your concerns.

During the course of your interview with CCL Velo, you informed him of your work history, having direct contact with asbestos while employed in the shipyard industry. You stated that a medical doctor at the Richard J. Donovan Correctional Facility (RJDCF) recommended that you monitor your health conditions because asbestos is known to cause lung cancer. You informed CCL Velo of your desire to participate in a mental health program due to your EOP status. You also told him that you would like to transfer to CMC-East. CCL Velo informed you that during the week of November 24, 2003, [REDACTED] would be interviewing you to complete your Reception Center processing, endorsement, and subsequent transfer. You stated you are doing fine at the RJDCF and [REDACTED]. You [REDACTED].

Based on the above information, your appeal is Partially Granted at the Second Level Review.


D. M. BARNES
Chief Deputy Warden (A)

LABORATORY REPORT



FOUNDATION LABORATORY
 620 S. Glendora Ave.
 Glendora, CA 91740
 (626) 914-3838 • Fax (626) 963-4470
 M.Y. NASIR, M.D., LAB DIRECTOR
 ALLEN JAY M.D., LAB DIRECTOR

R. J. DONOVAN CORRECTIONAL FAC
 400 ALVARADO RD
 HOSPITAL/CLINIC BUILDING
 SAN DIEGO, CA 92161

PAGE 8:30

FINAL

TEST	ABNORMAL	RESULT	UNITS	REFERENCE RANGE
1 5 225U				
COPY TO DR. LYLE				

MOLECULAR TYPING

HCV RNA QT(bDNA) 314,962 IU/mL <615

THE LINEARITY OF THIS ASSAY IS BETWEEN 615 IU/ML (3200 HCV RNA COPIES/ML) AND 7,600,000 IU/ML (40,000,000 HCV RNA COPIES/ML) RESULTS OF LESS THAN 615 IU/ML INDICATE HCV VIRAL ASSAY IS BELOW THE LEVEL OF DETECTION FOR THIS ASSAY. THIS ASSAY IS INTENDED FOR RESEARCH ONLY AND NOT TO BE USED FOR DIAGNOSTIC PURPOSES.

METHOD: BAYER HCV RNA 2.0 ASSAY (bDNA)

HCV RNA GENO, LI GENO TYPE 1b
 INNO-LiPA (TM) CANNOT DISCRIMINATE BETWEEN SUBTYPE 2a AND 2c OR BETWEEN 4c AND 4d.

THIS TEST WAS DEVELOPED AND ITS PERFORMANCE CHARACTERISTICS DETERMINED BY QUEST DIAGNOSTICS NICHOLS INSTITUTE. IT HAS NOT BEEN CLEARED OR APPROVED BY THE US FDA. THE FDA HAS DETERMINED THAT SUCH CLEARANCE OR APPROVAL IS NOT NECESSARY. PERFORMANCE CHARACTERISTICS REFER TO THE ANALYTICAL PERFORMANCE OF THE TEST.

(NI) TEST PERFORMED NICHOLS INSTITUTE 33608 ORTEGA HWY, SAN JUAN CAPISTRANO

Signature: _____

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M.Y. NASIR, M.D., LAB DIRECTOR
ALLEN JAY M.D., LAB DIRECTOR

PAGE 8:30

FINAL

TEST	ABNORMAL	RESULT	UNITS	REFERENCE RANGE
F1 5 2250 PLEASE NOTE: COPY TO DR. LYLE				
HEMATOLOGY				
WBC		5.0	103/uL	4.5-11.0
RBC		5.39	106/uL	4.6-6.2
Hgb		15.9	g/dL	14-18
HCT		47.0	%	42-52
MCV		87.2	um3	80-94
MCH		29.6	pg	27-34
MCHC		33.9	%	31.5-36.0
RDW	17.1 H		%	11-14.8
PLATELETS		240	103/uL	150-400
MPV		9.7	cu/mm	6.8-10.6
MANUAL DIFF				
GRANULOCYTES		See Below		
LYMPHOCYTE		57	%	54-62
MONOCYTES		33	%	25-33
EOSINOPHIL	5 H	5	%	3-7
CHEMISTRY				
SODIUM, SERUM	148.1 H		mEq/L	136-145
POTASSIUM, SERUM		4.5	mEq/L	3.5-5.1
CHLORIDE, SERUM		106.1	mEq/L	101-111
CO2	31.30 H		mEq/L	22-30
ANION GAP		15.2		0.0-25.0
CALCIUM, SERUM	10.4 H		mg/dL	8.4-10.3
GLUCOSE		98.0	mg/dL	70-105
BUN, SERUM		13.0	mg/dL	8-20
CREATININE, SERUM		0.9	mg/dL	0.6-1.3
BUN CREA RATIO		14.44	Ratio	6.0-42.0
OSMOLALITY CALC		294.55		
PHOSPHORUS		3.20	mg/dL	2.4-4.7
CHOLESTEROL, SR		140.0	mg/dL	100-200
TRIG		72.0	mg/dL	35-160
TOTAL PROTEIN		7.3	g/dL	6.6-8.2
ALBUMIN, SERUM		4.40	g/dL	3.2-5.5

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PAGE 2 8:30

FINAL

TEST	ABNORMAL	RESULT	UNITS	REFERENCE RANGE
GLOBULIN		2.9		1.8-5.0
A/G RATIO		1.5	Ratio	0.9-1.9
SGOT (AST)	51.0 H		U/L	10-42
SGPT (ALT)		46.00	U/L	10-60
LD, SERUM		154.00		91-180
URIC ACID, SERUM		6.30	mg/dL	2.6-7.2
ALK. PHOSPHATASE		85.00	U/L	42-128
TOTAL BILIRUBIN		0.70	mg/dL	0.1-1.5 ADULT
GGT, SERUM		42.00	U/L	7-64
ANEMIA PANEL				
FERRITIN		56.6	ng/mL	22-322
THYROID STUDIES				
TSH-3		4.05	uIU/mL	0.35-5.50
COAGULATION				
PT PATIENT		13.9	sec	10.0-14.0
PT CONTROL		12.4	sec	10.0-14.0
PT RATIO		1.12	Ratio	1.0-1.4
ISI VALUE		1.9		
PATIENT INR		1.2	Ratio	
ACCP (AMERICAN COLLEGE OF CHEST PHYSICIANS) THERAPEUTIC RANGE FOR ORAL				
ANTICOAGULANT THERAPY				
INDICATION			INR	
PROPHYLAXIS OF VENOUS THROMBOSIS			2.0-3.0	
(HIGH-RISK SURGERY)				
TREATMENT OF VENOUS THROMBOSIS			2.0-3.0	
TREATMENT OF PULMONARY EMBOLISM			2.0-3.0	
PREVENTION OF SYSTEMIC EMBOLISM:				
TISSUE HEART VALVES			2.0-3.0	
MYOCARDIAL INFARCTION			2.0-3.0	
ATRIAL FIBRILLATION			2.0-3.0	
MECHANICAL PROSTATIC VALVES			2.5-3.5	
PTT PATIENT	41.8 H		sec	25-36.3
PTT CONTROL		30.7	sec	27.8-32.0

Signature: _____

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 480 ALTA RD.
 HOSPITAL/CLINIC BUILDING
 SAN DIEGO, CA 92119

PAGE 13:12

FINAL

TEST	ABNORMAL	RESULT	UNITS	REFERENCE RANGE
Pl 5 225				
HEMATOLOGY				
WBC		6.2	103/uL	4.5-11.0
RBC		5.50	106/uL	4.6-6.2
Hgb		16.6	g/dL	14-18
HCT		48.7	%	42-52
MCV		88.5	um3	80-94
MCH		30.1	pg	27-34
MCHC		34.0	%	31.5-36.0
RDW	16.2 H		%	11-14.8
PLATELETS		235	103/uL	150-400
MPV		9.7	cu/mm	6.8-10.6
GRANULOCYTES %		60.1	%	48.9-69.9
GRANULOCYTES#		3.74	103/uL	1.5-6.7
LYMPHOCYTES %		28.8	%	22.4-43.6
LYMPHOCYTES#		1.79	103/uL	1.5-4.0
MONOCYTES %		7.2	%	6.2-9.8
MONOCYTES#		0.45	103/uL	0.2-0.8
EOSINOPHIL %		3.2	%	0-5.0
EOSINOPHIL#		0.20	103/uL	0-0.40
BASOPHIL %		0.7	%	0-2.0
BASOPHIL#		0.04	103/uL	0-0.20
RBC MORPHOLOGY		Normal		
IMMUNOLOGY				
HAV A AB TOTAL		NEGATIVE		NEGATIVE
COAGULATION				
PT PATIENT		12.2	sec	10.0-14.0
PT CONTROL		12.0	sec	10.0-14.0
ISI VALUE		1.99		
PATIENT INR		1.0	Ratio	
ACCP (AMERICAN COLLEGE OF CHEST PHYSICIANS) THERAPEUTIC RANGE FOR ORAL				
ANTICOAGULANT THERAPY				
INDICATION				
PROPHYLAXIS OF VENOUS THROMBOSIS				
(HIGH-RISK SURGERY)				
TREATMENT OF VENOUS THROMBOSIS				

late
4/14/15

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FULLY DONOVAN CORRECTIONAL FAC
 180 ALVA RD
 HOSPITAL/COMM - RUDOLPH
 SAN DIEGO, CA 92179

TEST NAME: PTT

TEST CODE: 13:12
 DATE: 02/26/07
 TIME: 13:12
 ACCESSION NO: 7325

PAGE 13:12

FINAL

TEST	ABNORMAL	RESULT	UNITS	REFERENCE RANGE
TREATMENT OF PULMONARY EMBOLISM			2.0-3.0	
PREVENTION OF SYSTEMIC EMBOLISM:				
TISSUE HEART VALVES			2.0-3.0	
MYOCARDIAL INFARCTION			2.0-3.0	
ATRIAL FIBRILLATION			2.0-3.0	
MECHANICAL PROSTATIC VALVES			2.5-3.5	
PTT PATIENT	35.5 H		sec	25.0-34.0
PTT CONTROL		27.49	sec	24.8-28.4

Signature: _____

STATE OF CALIFORNIA-HEALTH AND WELFARE AGENCY

DEPARTMENT OF MENTAL HEALTH

GUIDELINES	DATE OF REPORT: <u>8/24/04</u> DATE DICTATED: _____ DATE TYPED: _____
1. IDENTIFICATION DATA	53 y.o. came from RSD CTF to A3 on 4/28/04 for further programming/stabilization.
2. PRIOR HISTORY: (Include previous psychiatric hospitalizations, treatment and significant past psychiatric and medical history)	Target symptoms/problems =
3. CHIEF COMPLAINT/REASON FOR ADMISSION: (Include reasons identified by patient and/or other sources.)	- Depression, (mood swings) suicidal thoughts & attempt. (4) Dyslexia (+) paranoid thoughts - Anxiety, paranoia, pressured speech.
4. PHYSICAL AND MENTAL STATUS AT ADMISSION:	[REDACTED]
5. HOSPITAL COURSE: (Danger to self/others; other psychiatric.)	Physical problem: Hep. C(+), Sleep apnea, kidney failure, DSD, Eczema (psoriasis)
6. HOSPITAL COURSE: Physical problems	History: Depakote, Risperidone, neuroleptic (marijuana)
7. MENTAL STATUS AT RELEASE	Hospital course = Patient adjusted slowly to the unit - at first he didn't want to stay. He was not placed on any medication (patient refused) and he functioned well without it. He was noted with some sarcastic behavior. Above symptoms are fairly under control. ^{med} medication medical problems
8. CURRENT LEGAL STATUS AND REASON FOR RELEASE:	ie. Sleep apnea is being worked up by Dr. Bourne, M.D. so far he is not too incapacitated by it. He is generally polite. He has reached maximum benefit from the program.
9. DSM DIAGNOSIS: (All five axis)	Diagnosis: I. Bipolar disorder, mixed, no psychosis
10. RECOMMENDATIONS FOR PHYSICAL & PSYCHIATRIC FOLLOW-UP:	[REDACTED]
a. Medications/diet/activity limitations b. Other, e.g., Hepatitis follow-up, locked or unlocked setting.	[REDACTED] <input type="checkbox"/> CONTINUED ON BACK

C. DAGUTA

M.D.

C. DAGUTA, M.D.

M.D.

8/24/04

NAME (PRINT)

SIGNATURE (Each of form must be signed also, if used.)

DATE

II ASPD III Sleep apnea, DSD, Hep C(+) Eczema IV incarceration
 V = 55 PLAN = Discharge to RSD, current medication: (Naprosyn 500mg po BID)
 CONFIDENTIAL PATIENT INFORMATION SEE W & I CODE SECTION 5328
 Patient is pending diagnosis confirmation of
 Relaxzo, Ralph T99035

MH 5741A (Revised 1/98) OMS-VACAVILLE

MEDICAL DISCHARGE SUMMARY

CORE RECORD

Continued breathing problem (per Dr. Bourne, M.D.) from the community hospital - ie. sleep apnea documentation.

ME and NUMBER

CDC-128-C

PALAZZO , RALPH

CDC NUMBER: T99035

CDC 128-C

R.J. Donovan Correctional Facility
F10500000000225U

ANNUAL TB CHRONO
TB SKIN TESTING

DISTRIBUTION

CENTRAL FILE: ☐
MEDICAL FILE: ☐
INMATE: ☒

INMATE TB ALERT CODE 33

DATE

05-04-2005

Carry Lyle
LH, LYLE, D.O., M.S., DIRECTOR, PUBLIC HEALTH @ RJDGF
MEDICAL—PSYCHIATRIC—DENTAL

Exhibit A

Test results of latest X-Ray from
Physicians Medical Group (radiology)

Exhibit B

Medical Appeal No. 03-1113
State of California granting monitoring
for Mesothelioma.

Exhibit C

Laboratory Report / Foundation Laboratory
Accession Nos. 695731, 69573, 732567

Exhibit D

Medical Discharge Summary / Dept. Mental Health
#534.0

Exhibit E

Annual TB Chrono / TB Skin Test
State of California